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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,423	03/16/2001	Jens Klein		4925

7590 04/16/2008
Oblon, Spivak, McClelland, Maier & Neustadt P.C
1940 Duke Street
Alexandria, VA 22314

EXAMINER

SODERQUIST, ARLEN

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09809423	3/16/2001	KLEIN ET AL.	

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EXAMINER

Arlen Soderquist

ART UNIT	PAPER
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1797	20080411
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DATE MAILED:

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Commissioner for Patents

1. The information disclosure statement (IDS) submitted on March 28, 2008 was filed after the mailing date of the Notice of Allowance on January 4, 2008. The submission is in compliance with the provisions of 37 CFR 1.97 since it only submitted copies of the listings filed July 31, 2001 and September 22, 2003. Accordingly, the information disclosure statement is being considered by the examiner with the following results. References A1-A14 and A17 were initialed as being considered in the IDS filed July 31, 2001 and returned with the Office action mailed March 26, 2003. Accordingly they will appear on the face of the patent and have been lined through. References A15-A16 and A18, previously lined through, have been initialed solely on the basis of the documents submitted with the IDS of September 22, 2003. References A19-A23 appear twice in the listing: on the page labeled "Page 2 of 2" (top right) and on the page labeled "Page 1 of 1" (bottom right). The citations are incomplete for these references on the page labeled "Page 2 of 2" and have been lined through. The complete citations for references A19-A23 on the page labeled "Page 1 of 1" have also been lined through for the following reason. 37 CFR 1.98(a)(2), requires a legible copy of each cited non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. By providing a table of contents, applicant is implying that each and every article of the five volumes constitutes the portion that caused the reference to be listed. Since only the table of contents was submitted, the references are incomplete. Therefore references A19-A23 do not comply with the requirement of 37 CFR 1.98(a)(2) and have been lined through. If there were specific articles that applicant wanted the examiner to consider from these references, they should have been listed separately and copies of the specific articles submitted. Examiner has checked the image file for references C1 and C2. The images are not present in the image file. Therefore references C1 and C2 have also been lined through. (It is also noted that according to the citations, the complete reference for C1 was not submitted and the page numbers for reference C2 were not included in the citation.) MPEP 609.05(a) states that for those references which do not comply with 37 CFR 1.97 or 37 CFR 1.98, a line should be drawn through the citation.

/Arlen Soderquist/
Primary Examiner, Art Unit 1797